FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10020 OF 2004

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. G.H. Keluskar for petitioners.

CORAM: B.H. MARLAPALLE,J.

28/06/2007.

P.C.:

. RCS No. 156 of 1982 was dismissed by the learned Civil Judge, J.D., Jaysingpur by judgment and order dated 27/2/1996. Being aggrieved by the said dismissal order, the plaintiffs filed Reg. Civil Appeal No. 191 of 1996 before the District Court, Kolhapur. The said Appeal was dismissed by the lower Appellate Court vide its judgment and order dated 3/8/2004.

. The petitioners, therefore, have a statutory remedy of filing a Civil Revision Application under Section 115 of C.P.C. and as held by me in Writ Petition No. 4138 of 2006

vide the order dated 24/8/2006. When such a statutory remedy is available, a Writ Petition under Article 227 of the Constitution need not be entertained.

. Hence, the Writ Petition is disposed as such with liberty to the petitioners to file a Civil Revision Application and if such an application is filed within a period of two weeks from today, the period of pendency of this petition will be taken into consideration for condonation of delay, if any. Annexures be returned, if applied for.

(B.H. Marlapalle,J.)